

IC 12-27-2

Chapter 2. Rights of Patients

IC 12-27-2-1

Professional and appropriate services or training; humane care; religious practice; consultation with legal counsel and private practitioners

Sec. 1. Subject to section 2 of this chapter, a patient is entitled to all of the following:

- (1) Mental health services or developmental training:
 - (A) in accordance with standards of professional practice;
 - (B) appropriate to the patient's needs; and
 - (C) designed to afford a reasonable opportunity to improve the patient's condition.
- (2) Humane care and protection from harm.
- (3) The right to practice the patient's religion.
- (4) Contact and consultation with legal counsel and private practitioners of the patient's choice at the patient's expense.

As added by P.L.2-1992, SEC.21.

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Limitations; no known effective treatment or training; services or training not likely to produce significant improvement

Sec. 2. (a) The rights set forth in section 1 of this chapter are subject to the limitation that there may be certain conditions for which there is no known effective treatment or developmental training.

(b) A service provider is not required to afford mental health services or developmental training where treatment would not be likely to produce a significant improvement.

As added by P.L.2-1992, SEC.21.

IC 12-27-2-3

Exercise of constitutional, statutory, and civil rights; rights denied or limited by adjudication or finding of mental incompetency; voidable acts not validated

Sec. 3. (a) A patient is entitled to exercise the patient's constitutional, statutory, and civil rights except for those rights that have been denied or limited by an adjudication or finding of mental incompetency in a guardianship or other civil proceeding.

(b) This section does not validate the otherwise voidable act of an individual who was:

- (1) mentally incompetent at the time of the act; and
- (2) not judicially declared to be mentally incompetent.

As added by P.L.2-1992, SEC.21.